

NOTICE OF PROPOSED ACTION AND PUBLIC HEARING

by the

U.S. Environmental Protection Agency, Region 9
CWA Standards and Permits Office (WTR-5)
75 Hawthorne Street
San Francisco, CA 94015
(415) 972-3510

The Environmental Protection Agency (EPA), Region 9, San Francisco, California is proposing to issue a National Pollutant Discharge Elimination System (NPDES) permit for discharges from the proposed Cabrillo Deepwater Port. The Cabrillo Deepwater Port is a proposed importation terminal for liquefied natural gas (LNG) which would be delivered to the terminal via carrier ships. The terminal would consist of a floating storage and re-gasification facility located approximately 14 miles offshore of Ventura County, California at the following coordinates: latitude - 33° 51.52', and longitude - 119° 02.02'. The re-gasified natural gas would be delivered via two new pipelines to the natural gas transmission system operated by the Southern California Gas Company.

The proposed permit would authorize the following discharges (subject to the terms and conditions of the permit): ballast water (which would consist of a combination of seawater and submerged combustion vaporizer overflow water), deck drainage, gray water, sanitary wastes, desalination unit wastes, non-contact cooling water, fire control system test water, and bilge water. The receiving waters (Pacific Ocean) are classified for the following beneficial uses: aesthetic enjoyment; propagation and sustenance of marine life; scientific research and training; sport fishing; commercial fishing; pleasure boating; commercial and naval shipping; and industrial water supply.

A public hearing will be held to provide the public an opportunity to express their views on the proposed permit. The hearing will be held as follows:

Date: May 23, 2006
Time: 1 p.m.
Place: Oxnard Performing Arts & Convention Center
800 Hobson Way
Oxnard, CA 93030

To accommodate the needs of the public or the EPA, the hearing may be continued from time to time or at a different place after commencement by an announcement at the hearing by the Presiding Officer. To ensure accuracy of the hearing record, EPA requests that all important testimony be submitted in writing. To afford all interested persons an opportunity to be heard,

EPA requests that commenters summarize any extensive written material in oral statements. A record of the hearing will be made for consideration by EPA before final permit action is taken and for public inspection.

EPA invites all interested persons to submit written comments on the proposed permit and all supporting evidence by the close of the comment period which ends on June 20, 2006. Written comments should be sent to Lisa Honor at the EPA address shown above postmarked no later than June 20, 2006.

Copies of the proposed permit and fact sheet will be provided upon request. The proposed permit, fact sheet and other related documents in the administrative record are on file and may be inspected any time between 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays, at the address shown above. The proposed permit and fact sheet are also available at EPA, Region 9's website at:
<http://www.epa.gov/region9/water/npdes/pubnotices.html>

A final decision to issue the final permit, or to deny the permit, shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has sent or delivered written comments or requested notice of the final permit decision.

Within 33 days after EPA's final decision for the permit, any person who filed comments on the proposed permit or participated in the public hearing may petition the Environmental Appeals Board (EAB) to review any condition of the permit decision. A copy of such petition should be sent to the EPA address listed above. Any person who failed to file comments or failed to participate in the public hearing on the proposed permit may petition for administrative review only with regard to changes made from the proposed permit to the final permit. The petition shall include a statement of the reasons supporting the review, including a demonstration that any issue being raised was raised during the public comment period (including the public hearing) to the extent required by these regulations and, when appropriate, a showing that the condition in question is based on: (1) a finding of fact or conclusion of law which is clearly erroneous; or (2) an exercise of discretion or an important policy consideration which the EAB should, in its discretion, review. Under 40 CFR 124.16 and 124.60, a petition for review under 40 CFR 124.19 stays the force and effect of the contested conditions of the final permit until final agency action under 40 CFR 124.19(f).

Please bring this notice to the attention of all persons who would be interested in this matter.